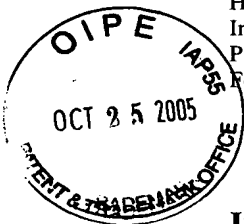


HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P O BOX 272400
Fort Collins, CO 80527-2400

PATENT APPLICATION

Attorney Docket No: 200206098-1



**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors: Hang Liao et al.

Examiner: Mai Houong Tran

Serial No: 10/689,940

Group Art Unit: 2818

Filing Date: November 20, 2003

Confirmation No.: 4023

Title: STORAGE DEVICE WITH CHARGE TRAPPING STRUCTURE AND METHODS

**Mail Stop: AF
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Comments on Statement of Reasons for Allowance

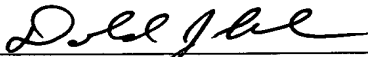
Dear Sir:

Applicants agree with Examiner's conclusions regarding patentability without necessarily agreeing with or acquiescing in the Examiner's reasoning. In Examiner's statement of reasons for allowance, beginning on page 2 and carrying over to page 3, Examiner states that none of the references of record teaches or suggest particular limitations, set out by Examiner, of independent claim 1. Applicants respectfully traverse this potentially limiting statement for several reasons. First, it is the combination of elements specifically as recited in each of the claims that determine the allowability over art. Selecting any one or two elements while ignoring the remainder could unfairly and improperly limit the scope of the invention claimed. Second, Examiner's statement of the limitations is not an exact recitation of the allowed language of all of the allowed claims and therefore could improperly be used to characterize the claimed invention in a way not intended and explicitly written by Applicants and allowed by the PTO. Third, in at least one instance (specifically, "...a charge trapping structure disposed on the second semiconducting layer and a conductive gate, wherein the conductive gate and the charge trapping structure move relative to the other . . . the second semiconducting layer and the conductive gate traps charge....") limitations not found in certain of the allowed claims have been implied by the Examiner.

Therefore, Applicants respectfully request a restatement of reasons for allowance in the last sentence of the carry-over paragraph on page 3 of the Notice of Allowability, essentially as follows: "It is the combination of limitations found variously in the allowed claims and are not taught, found, or suggested in the prior art of record, that are evidence of allowability over the prior art."

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Respectfully submitted,
Hang Liao et al.

By: 
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Date: 21-OCT-05